SINGLE BENCH

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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.No 3157 /2005

PETITIONER

Arun Kumar Agrawal, S/o. Late Radheshyam Agrawal, Aged about 40 years, R/o. Seth Basant Lal Marg, Ambikapur (C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh, Through Secretary Department of Transport, Raipur

2. State Transport Authority, Chhattisgarh at Raipur.

3. Assistant Secretary, State Transport Authority, Raipur (C.G.)

4. Shiv Nadan Sao, S/o. Late Shri Kishan Chand Sao, Aged about 85 years, R/o. Power House Road, Ramanujganj, District Surguja (C.G.)

P.R. No. 3271/05 Presented by Shri P.R. Shukla Adv. dated 13/7/05

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

मामला क्रमांक W.P.3157/ **सन्** 2005

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

22-7-2005

Mr. B.K. Rawat, counsel for the petitioner.

Mr. Sandeep Dubey, Govt. Advocate for the State/respondents No.1 to 3.

Heard both the counsel.

The petitioner by the instant writ petition under Article 226 of the Constitution of India has questioned the legality of order dated 8-7-2005 passed by respondent No.2, whereby respondent No.2 has granted inter-State permit from Ramanujganj to Daltanganj to respondent No.4.

Revision lies against the impugned order.

Learned counsel for the petitioner submits that the petitioner was required to file the instant writ petition before this Court, as the Presiding Officer was not posted in the State Transport Appellate Tribunal.

Now, the Presiding Officer has already been posted and notification is issued to that effect, therefore, the petitioner should file a revision before the STAT.

As far as the question of limitation is concerned, learned counsel for the petitioner submits that since this writ petition was filed on account of non-functioning of the STAT, as such, the petitioner may file an application for condonation of delay in filing the revision, and the STAT may consider the said application.

The prayer made by learned counsel for the petitioner is just and reasonable. The petitioner can file an application before the STAT for

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.3157 **सन्** **2005**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

condonation of delay in filing the revision, and the STAT should consider the said application, in accordance with law.

With the aforesaid observation and directions, the petition stands disposed of.

Consequently, M.(W.)P.No.2650/2005 and I.A.No.6180/2005 also stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C.Bhadoo
Judge

(पीछे देखिये)